



current first cause of action alleging violations of the FLSA, as an available remedy to them, the ability to recover all tips he or she contributed to the Tip Pool. This remedy is outlined in Fact Sheet #15 from the Wage & Hour Division of the U.S. Department of Labor. This remedy is in addition to all other remedies available to Plaintiffs under the FLSA.

3. For the damages recovered for the tips contributed to the Tip Pool in section 2 above, and only for these damages, Plaintiffs will allow the Court to reduce these damages to a maximum of two (2) years. For all other damages, Plaintiffs retain the right to seek damages, if proven according to the FLSA, for three (3) years.

4. Defendants do not concede that Plaintiffs are entitled to Liquidated Damages; however, Plaintiffs expressly retain the right to seek Liquidated Damages for all damages, including the tips contributed to the Tip Pool.

5. Neither this motion nor any of its content will be admissible to the jury.

**IT IS SO ORDERED.**

FLORENCE, SC

March 23, 2015

s/ R. Bryan Harwell  
R. Bryan Harwell  
United States District Judge